IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 16863 of 2003

Between:

1. A.D.S. Sarma,
   S/o. Ramajogaiah, Aged about 51 years,
   Secretary, Uppalaguptam Primary Agricultural Cooperative
   Society, R/o. Uppalaguptam Post and Mandal,
   East Godavari District.
2. A. Surya Prabhakar Rao,
   S/o. Gopalarao, Aged about 37 years,
   Accountant, Uppalaguptam Primary Agricultural
   Cooperative Society, R/o. Uppalaguptam Post and Mandal,
   East Godavari District.
3. Kola Rama Mohan Rao,
   S/o. Pallaiah, Aged about 41 years,
   Clerk, Uppalaguptam Primary Agricultural
   Cooperative Society, R/o. Uppalaguptam Post and Mandal,
   East Godavari District.

….Petitioners.

AND

1. The Government of Andhra Pradesh,
   Represented by its Secretary, Cooperation Department,
   Secretariat, Hyderabad.
2. Registrar of Cooperative Societies
   and Commissioner of Cooperation, Nampalli,
   Hyderabad.
3. The District Cooperative Officer,
   Kakinada, East Godavari District.
4. Uppalaguptam Primary Agricultural

Cooperative Society, Post and Mandal Uppalaguptam
East Godavari District, Represented by its Chairman
Person-in-charge Committee.

….Respondents.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the resolution dated 10-5-2003 of the 4th respondent-society in reducing the salaries payable to the petitioners as illegal, contrary to Section 116 © of the Cooperative Societies Act and in violation of principles of natural justice and to direct the respondents to pay the salary drawn by the petitioners in April, 2003 continuously without any reduction.

Counsel for the petitioners: Mr. G. Vidya Sagar.
Counsel for Respondent Nos 1 to 3: G.P. for Cooperation.
Counsel for Respondent No.4: Mr. V Jogaiah Sarma

The Court made the following order:

Learned counsel appearing for the petitioners submits that the subject matter of this writ petition is squarely covered by the judgment of this Court in W.P.No.3171 of 2003 and batch dated 30-8-2004.

Following the said judgment, this writ petition is dismissed by and in terms thereof. No costs.

9-9-2004

lvl

To,

1. The Secretary, Government of Andhra Pradesh,
   Cooperation Department,
   Secretariat, Hyderabad. (with a copy of order dated
   30-8-2004 in W.P.No.3171 of 2003 and batch).
2. Registrar of Cooperative Societies
   and Commissioner of Cooperation, Nampalli,
   Hyderabad.
3. The District Cooperative Officer,
   Kakinada, East Godavari District.
4. Uppalaguptam Primary Agricultural
   Cooperative Society, Post and Mandal Uppalaguptam
   East Godavari District, Represented by its Chairman
   Person-in-charge Committee.
4. Two CCs to Government Pleader for Cooperation, High Court
   of Andhra Pradesh, Hyderabad (out)
5. Two CD copies.